

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARGARET MAZUR, }  
Plaintiff, } No. 2:17-cv-00826-JFC  
vs. }  
SOUTHWESTERN VETERANS CENTER and }  
DEPARTMENT OF MILITARY AND VETERANS }  
AFFAIRS, }  
Defendants. } Judge Conti  
} *Electronically Filed.*

**RESPONSE TO FINAL MOTION TO COMPEL (Doc. # 106)**

AND NOW, come the defendants, Southwestern Veterans Center and Department of Military and Veterans Affairs (“the Defendants”), by their attorneys, Scott A. Bradley, Senior Deputy Attorney General, and Keli M. Neary, Chief Deputy Attorney General, Litigation Section, and respond to the Final Motion to Compel (Doc. # 106), previously filed by Plaintiff in this matter:

1. Plaintiff initiated this *pro se* employment rights action by filing a complaint with this Court on June 22, 2017. See Complaint (Doc. # 1).
2. Discovery in this matter closed on July 9, 2018.
3. On September 4, 2018, Plaintiff filed a Final Motion to Compel (Doc. # 106), seeking production of a document identified by a witness during her deposition.<sup>1</sup>
4. Particularly, Jamie Cuthbert, the Human Resources Officer for Defendant Southwestern Veterans Center testified at her deposition that she recalled a statement by Plaintiff to the effect that Plaintiff did not count the money at the bank. She indicated that this “was

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<sup>1</sup> The motion also sought documents from the City of Pittsburgh Bureau of Police, see (Doc. # 106), at § II. ¶ 1-10, which is represented in this matter by its own counsel.

either a witness statement or [Plaintiff's] PDC. I don't remember." See Plaintiff's Exhibit 1 (Doc. # 106-2), at 1.

5. The witness then indicated that she would look for the statement at issue.

6. The witness has now advised undersigned counsel that she has not been able to locate this statement.

7. Consequently, there is nothing further to provide.

WHEREFORE, the Defendants respectfully request that the Court deny the Plaintiff's Motion to Compel (Doc. # 106) to the extent further discovery is requested from the Defendants.

Respectfully submitted,

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Date: September 10, 2018